

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1076 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? No
 2. To be referred to the Reporter or not? No
 3. Whether Their Lordships wish to see the fair copy
of the judgement? No
 4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? No
 5. Whether it is to be circulated to the Civil Judge?
No
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I.V.R.MURTY

Versus

STATE OF GUJARAT

Appearance:

MR GI DESAI for Petitioner

MR. NIGAM SHUKLA, LD. PUBLIC PROSECUTOR for Respondent

No. 1, 2, 3

CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 16/04/96

ORAL JUDGEMENT

The petitioner who happens to be the complainant had lodged a complaint at Ghatlodia police station. It came to be registered as C.R. No. 0/94 at Ghatlodia police station. This had occurred because , according to the police the offence was not committed under the jurisdiction of Ghatlodia police station. This FIR was

required to be sent to Sarkhej police station under whose jurisdiction the offences were allegedly committed.

It is not in dispute that out of this FIR two cases came to be registered at Sarkhej police station being C.R.No. 74 of 1994 on 5th June 1994. The C.R. No. 75 of 1994 also came to be registered with Sarkhej police station. The grievance of the petitioner is that a third C.R. was required to be registered at Sarkhej police station, which has not been done. It is the say coming from learned Government Counsel that this could not be done because though it appears that a sealed packet came to be delivered at Sarkhej police station, the PSO who was at the relevant time working at the Sarkhej police station is no more. The difficulty can be sorted out by saying that the xerox of the C.R. No. 0/94 dated 3-6-94 registered at Ghatlodia police station can be forwarded to Sarkhej police station. The C.R. number shall be given by Sarkhej police station. The statement of the complainant can be recorded. Later on the investigation shall be carried out by the I.O. within a period of two months hereof. If the chargesheet is to be filed, the same could be done. In any case the outcome of the investigation shall be intimated to the petitioner. The present petition stands disposed of in the above said manner. Rule is made absolute accordingly. D.S. permitted.
